

PROB 12C  
(7/93)

**United States District Court**  
**for**  
**District of New Jersey**  
**Petition for Warrant or Summons for Offender Under Supervision**  
**(Amended)**

**Name of Offender:** Wessam Elassar

**Docket Number:** 05-00393-001  
**PACTS Number:** 39199

**Name of Sentencing Judicial Officer:** Honorable Harold A. Ackerman

**Name of Assigned Judicial Officer:** Susan D. Wigenton

**Date of Original Sentence:** 10/05/2005

**Original Offense:** Bank Robbery by Force or Violence 18 U.S.C. 2113 (a) & 2 (2 counts)

**Original Sentence:** 41 months imprisonment; 3 years supervised release.

**Special Conditions:** DNA testing, drug testing and treatment, restitution in the amount of \$1,234.90, full financial disclosure, no new credit.

**Type of Supervision:** supervised release

**Date Supervision Commenced:** 11/3/06

**Assistant U.S. Attorney:** Andre Espinosa , 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

**Defense Attorney:** Donald McCauley, 972 Broad Street, 2<sup>nd</sup> Floor, Newark, New Jersey 07102, (973) 645-6347

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**PETITIONING THE COURT**

- ☐ To issue a warrant  
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**    **Nature of Noncompliance**

- |   |   |
|---|---|
| 1 | The offender has violated the supervision condition which states 'You shall not commit another federal, state, or local crime.'   |
|   | On December 4, 2008 in Jefferson Township the offender was charged with writing a bad check . He wrote a check in the amount of \$5,500 knowing that it would not be honored by Commerce Bank, as the account was closed. The charges remain pending. |
| 2 | The offender has violated the supervision condition which states 'You shall notify the probation officer within 72 hours of being arrested or questioned  |

**by a law enforcement officer.'**

On June 23, 2009, the undersigned officer was notified that the offender was arrested by the fugitive recovery unit in the Morris County Prosecutor's Office for the charges emanating from Jefferson Township. Mr. Elassar did not notify the undersigned officer of the new charges or the new arrest.

- 3           **The offender has violated the supervision condition which states 'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'**

Mr. Elassar failed to submit monthly supervision reports for December 2009, January, and February 2010. He failed to report to the U.S. Probation Department on December 23, 2010 and January 7, 2010. A voicemail was left for him to contact the undersigned officer on March 3, 2010. Mr. Elassar's phone number has been disconnected as of March 11, 2010.

- 4           **The offender has violated the supervision condition which states 'As a condition of supervision, you are instructed to pay restitution in the amount of \$1,234.90 to U.S. Treasury ; it shall be paid in the following manner: no less than \$35 per month.'**

The offender is in arrears on his monthly payments toward his court imposed financial obligations. He satisfied his special assessment. He has paid \$625.00 to date and has an outstanding balance of \$809.90.

- 5           **The offender has violated the supervision condition which states 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'**

Mr. Elassar called the undersigned officer on February 2, 2010 and reported that he was abusing prescription medication. He stated that he was using up to forty percocet pills per day. He was given the contact information for a detox (Bergen Regional) and instructed to complete an assessment over the phone. He failed to comply with the treatment referral and has not made himself available for the undersigned officer to assist him in being placed into the proper treatment facility.

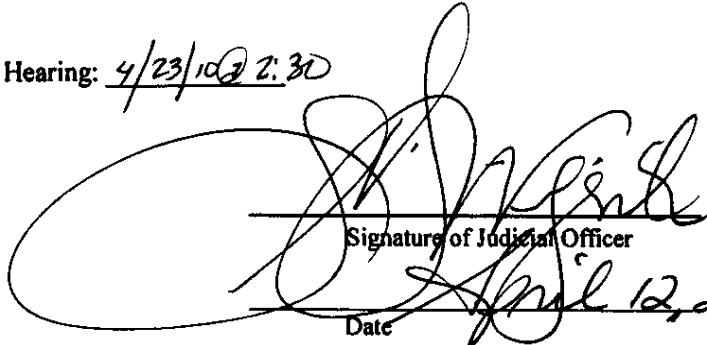
I declare under penalty of perjury that the foregoing is true and correct.

  
By: Erika M. Arnone  
U.S. Probation Officer  
Date: 4/1/10 7/6

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THE COURT ORDERS:

- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons. Date of Hearing: 4/23/10 @ 2:30
- ☐ No Action
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer  
\_\_\_\_\_  
Date April 12, 2010